

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17631 of 2026

Arising Out of PS. Case No.-1 Year-2026 Thana- PRANPUR District- Katihar

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Birbal Mandal @ Birbal Kumar Mandal S/O Hira Mandal @ Hiralal Mandal
Resident of Village- Suryana Sabaldar, P.O- Baina, P.S- Pranpur, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Rahmatullah, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Pranpur P.S. Case No.01 of 2026, F.I.R dated 01.01.2026 registered for the offences punishable under Sectiond 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per the prosecution case, based on the written report of A.S.I. Naval Kishor Yadav, on the basis of which Paranpur P.S. Case No. 01 of 2026 was instituted against the petitioner. It is alleged that during patrolling on 01.01.2026, the police received information that the petitioner was selling foreign liquor. On reaching his house, one person allegedly fled



away on seeing the police, leaving behind two cartons. Upon search, the police allegedly recovered 13.5 litres of foreign liquor from the petitioner's residence. It is further alleged that the seizure list was prepared in presence of police personnel Sujeet Kumar and Deepak Kumar, who signed as witnesses.

4. Learned counsel for the petitioner submits that the place of recovery is from an open space, which is accessible to all. It has next been submitted that the petitioner has clean antecedent and the search and seizure is said to have been made without adhering to the procedures / provisions prescribed under the B.N.S.S. Act.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession and / or premises belonging to the petitioner and the petitioner has clean antecedent, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-II, Katihar, in connection with Pranpur P.S. Case No.01 of 2026 subject to the condition as laid down under Section 482(2) of the B.N.S.S., 2023.

(Ajit Kumar, J)

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